

Brent Caslin (Cal. Bar. No. 198682)
JENNER & BLOCK LLP
633 West Fifth Street
Suite 3600
Los Angeles, California 90071
Telephone: 213 239-5100
Facsimile: 213 239-5199
bcaslin@jenner.com

Terrence J. Truax (*pro hac vice*)
Michael T. Brody (*pro hac vice*)
JENNER & BLOCK LLP
353 North Clark Street
Chicago, Illinois 60654-3456
Telephone: 312 222-9350
Facsimile: 312 527-0484
ttruax@jenner.com
mbrody@jenner.com

*Attorneys for Defendants Mitsubishi Electric Corporation, Mitsubishi Electric US, Inc. and
Mitsubishi Electric Visual Solutions America, Inc.*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re: Cathode Ray Tube (CRT) Antitrust
Litigation

Case No. 3:07-cv-5944 SC

MDL No. 1917

This Document Relates To:

*Electrograph Systems, Inc. et al. v. Technicolor
SA, et al., No. 13-cv-05724;*

*Alfred H. Siegel, as Trustee of the Circuit City
Stores, Inc. Liquidating Trust v. Technicolor SA,
et al., No. 13-cv-05261;*

*Best Buy Co., Inc., et al. v. Technicolor SA, et al.,
No. 13-cv-05264;*

*Interbond Corporation of America v. Technicolor
SA, et al., No. 13-cv-05727;*

**DECLARATION OF SHAUN M. VAN
HORN IN SUPPORT OF MITSUBISHI
ELECTRIC'S ADMINISTRATIVE
MOTION TO SEAL PORTIONS OF
REPLY IN SUPPORT OF MITSUBISHI
ELECTRIC'S MOTION TO DISMISS
LATE-FILED COMPLAINTS**

Date: February 7, 2014

Time: 10 a.m.

Judge: Honorable Samuel Conti

1 *Office Depot, Inc. v. Technicolor SA, et al., No.*
2 *13-cv-05726;*

3 *Costco Wholesale Corporation v. Technicolor*
4 *SA, et al., No. 13-cv-05723;*

5 *P.C. Richard & Son Long Island Corporation, et*
6 *al. v. Technicolor SA, et al., No. 31:cv-05725;*

7 *Schultze Agency Services, LLC, o/b/o Tweeter*
8 *Opco, LLC, et al. v. Technicolor SA, Ltd., et al.,*
9 *No. 13-cv-05668;*

10 *Sears, Roebuck and Co. and Kmart Corp. v.*
11 *Technicolor SA, No. 3:13-cv-05262;*

12 *Target Corp. v. Technicolor SA, et al., No. 13-cv-*
13 *05686*

1 I, SHAUN M. VAN HORN, declare as follows:

2 1. I am an associate at the law firm Jenner & Block LLP, counsel for defendants
3 Mitsubishi Electric Corporation, Mitsubishi Electric US, Inc., and Mitsubishi Electric Visual
4 Solutions America, Inc., and I am licensed to practice law in the State of Illinois. Except for those
5 matters stated on information and belief, which I believe to be true, I have personal knowledge of
6 the facts recited in this declaration and, if called upon to do so, I would competently testify under
7 oath thereto.

8 2. I submit this Declaration in support Mitsubishi Electric's motion to file the
9 highlighted portions of the following documents under seal pursuant to Civil Local Rules 7-11 and
10 79-5(d): Reply In Support Of Defendants Mitsubishi Electric Corporation, Mitsubishi Electric US,
11 Inc., And Mitsubishi Electric Visual Solutions America, Inc. To Dismiss Late-Filed Complaints On
12 Timing Grounds ("Reply").

13 3. Portions of Mitsubishi Electric's Reply in this case contain excerpts from and/or
14 statements derived from documents and testimony which have been designated "confidential" or
15 "highly confidential" pursuant to the Stipulated Protective Order governing this litigation [Dkt. 306,
16 June 18, 2008] ("Stipulated Protective Order"). The confidential/highly confidential designations
17 were made by certain defendants in this litigation. To qualify as confidential or highly confidential
18 under the Stipulated Protective Order, information must contain trade secrets or other confidential
19 research, development or commercial information or private or competitively sensitive information.
20 Stipulated Protective Order at ¶ 1.

21 4. The Stipulated Protective Order requires that a party may not file any confidential
22 material in the public record. Stipulated Protective Order at ¶ 10. The Stipulated Protective Order
23 further provides that any party seeking to file any confidential material under seal must comply with
24 Civil Local Rule 79-5. Stipulated Protective Order at ¶¶ 1, 10.

4 6. The highlighted portions of Mitsubishi Electric’s Reply refer or relate to statements
5 made in the Direct Action Purchasers’ Opposition to Mitsubishi Electric’s Motion To Dismiss Late-
6 Filed Complaints that also were filed under seal.

7. Therefore, Mitsubishi Electric respectfully requests an order sealing portions of Mitsubishi Electric's Reply.

Shaun M. Van Horn